CR No.53 of 2007.

30.8.2007. Present: Mr. Bhupender Gupta, Senior Advocate, with
Mr. A.K.S. Jaswal, Advocate, for the petitioner.

Mr. S.R. Sharma, Advocate, for respondents
No.1,2 and 4.

As the arguments were in progress, the parties came to terms. Mr. Bhupender Gupta, learned Senior Counsel appearing for the petitioner submitted that the petitioner is ready and willing to withdraw this petition if sufficient time is allowed to the petitioner to vacate the premises in question and hand over vacant possession thereof to the respondents. He actually suggested that the respondents may permit the petitioner to remain in occupation till ending June, 2008.

Mr. S.R. Sharma, learned counsel appearing for the respondents stated and submitted before me that the respondents have accepted the aforesaid offer of the petitioner and are ready and willing to let the petitioner occupy the premises in question till ending June, 2008.

Based upon the aforesaid agreement of the parties this petition is disposed of as settled and the following agreed order is passed.

The petitioner shall remain in occupation of the premises in question till 30th June, 2008. Till that date the impugned eviction order shall not be executed.

This is subject to the following conditions:-

(1) The petitioner shall file a written undertaking before the learned Rent Controller within three weeks from today, in which he shall undertake to vacate and hand over the vacant possession of the property in question to the respondents by or before 30th June, 2008.

(2) Till the petitioner continues to occupy the premises in question, henceforth he shall be paying to the respondents use and occupation charges at the rate of Rs.500/- per month. In the undertaking to be filed as at (1) above, the obligation to pay use and occupation charges shall also be mentioned.

If either the undertaking is not filed or if there is any default in the payment of use and occupation charges the impugned eviction order shall become executable immediately and forthwith.

The petition is disposed of.

CMP No.284 of 2007.

In view of the disposal of the main petition, this application is disposed of. Interim order dated 25th May, 2007 shall stand vacated.

Dasti copy on usual terms.

30th August, 2007. (V.K. Gupta), C.J.
(tr)